

UNITED STATES DISTRICT COURT

FILED

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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY

for the
District of TexasWestern

United States of America

v.

Justin SURIFF

Case No.

A-12-M-509

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 07-30-2012 in the county of Travis in the Western District of
Texas, the defendant violated Title 21 U.S.C. § 841 (a) (1),
 an offense described as follows:

Possession with the intent to distribute, to wit, 1 kilogram of methylene, a
 Schedule I narcotic.

This criminal complaint is based on these facts:

See Arrest Affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 07-31-2012City and state: Austin, Texas

Jason Johnston
 Complainant's signature
 Jason Johnston, Special Agent
 Printed name and title

Mark Lane
 Judge's signature
 Mark Lane, U.S. Magistrate Judge
 Printed name and title

Arrest Warrant

On July 27, 2012, HSI Austin Agents received information from CBP in Cincinnati, OH that 1 kilogram of methylone sent via DHL from China was destined to Ada GOMEZ at 11900 Metric Blvd PMB-235, Austin, TX (Pack-Mail). CBP had a laboratory test conducted on the powdery substance and it tested positive for methylone, which is a Schedule I narcotic under federal law. Agents later determined that PMB-235 is a personal-mail-box located inside the Pack-Mail business at 11900 Metric Blvd, Suite J. DEA Austin Agents submitted an Administrative Subpoena to the Pack-Mail business and learned that Ada GOMEZ had begun renting PMB-235 on June 11, 2012. CBP mailed the kilogram of methylone to Austin HSI Agents so it could be controlled delivered to the recipient.

On July 30, 2012, Agents coordinated with the Pak-Mail manager and they allowed TFO Brian Crissman to be in the vicinity of the desk to witness the transfer of the package to the recipient. In the afternoon, DEA Austin Agents and HSI Agents established surveillance at the Pack-Mail located at 11900 Metric Blvd, Suite J. Later in the afternoon, Justin SURIFF called the Pack-Mail business from cellular telephone (512) 820-4028 to determine if the 1 kilogram of methylone package had been delivered to PMB-235, which an employee had confirmed. An internet inquiry into cellular telephone (512) 820-4028 indicated that SURIFF utilized that number and resided at 4405 Bandice Lane, Pflugerville, Texas.

Around 5:00 pm, Agents observed a black 2010 F-150 arrive in the parking lot of the business complex and SURIFF exit the driver seat and walk inside the Pack-Mail business. While SURIFF was inside, TFO Crissman witnessed SURIFF ask for the package that was delivered to PMB-235. TFO Crissman further observed SURIFF place the package containing the 1 kilogram of methylone into a black shoulder bag and then walk outside the front door of the business, which was relayed to SA Jason Johnston outside. Agents then interdicted SURIFF outside in the parking lot and seized the 1 kilogram of methylone from the black shoulder bag. While SA Johnston was patting SURIFF down for weapons, SA Johnston observed SURIFF to be physically shaking uncontrollably. Agents subsequently transported SURIFF and his F-150 to the DEA Austin Resident Office, where SURIFF was questioned and processed.

At approximately 5:20 pm, SA Johnston, as witnessed by FBI SA Donna Cowling, read SURIFF his Miranda Warning and he declined to have an attorney present during questioning. SURIFF stated during the questioning that he ordered the 1 kilogram of methylone that was seized by Agents over the internet from an unknown person in China named Gordon. SURIFF further informed Agents that he was under the impression that he had actually ordered a designer drug called 4-MEC, which he thought had similar effects as cocaine and MDMA. SURIFF also stated that he thought the drug he had ordered was illegal under Texas state law, but not federal law. SURIFF stated he previously ordered the drug 5 to 6 times from Gordon over the internet and

sold his clients a ¼ kilogram for \$1,750.00 and a ½ kilogram for \$3,000.00 in ~~USC~~ST. SURIFF informed Agents that he had placed the name of the personal-mail-box in another person's name to hide his name in case the drug he was ordering was illegal.

SURIFF later provided Agents written consent to search his residence at 4405 Bandice Lane and safes for any drugs or money. A search of SURIFF's bedroom revealed two digital scales, baggies for packaging user quantities, and approximately \$1,850.00 in ~~USC~~ST which was seized evidence. After questioning, SURIFF was transported to the Travis County Jail pending transfer to the U.S. Marshals Jail in Austin, Texas for his initial appearance before a U.S. Magistrate Judge.